

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: NISHI, Akiko, *et al.*
Group Art Unit: 1652
Application No.: 10/516,587
Examiner: Walicka, Malgorzata A.
Filed: June 24, 2005
Docket No.: 12218/42
Title: NOVEL ACYLASE GENE

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). The paragraphs marked below are applicable. It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to deposit account 11-0600.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a final action, Notice of Allowance, or any action that otherwise closes prosecution.

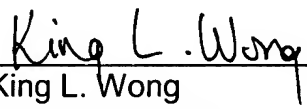
I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

The reference(s) was/were cited in a counterpart foreign application, EP 03730706.3. An English language version of a Supplementary European Search Report, mailed April 19, 2006, is attached for the Examiner's information.

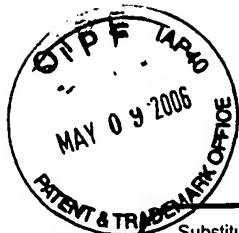
Respectfully submitted,

KENYON & KENYON LLP

Date: May 9, 2006


King L. Wong
Reg. No. 37,500

Kenyon & Kenyon LLP
1500 K Street, N.W.
Washington, D.C. 20005
Tel: (202) 220-4200
Fax: (202) 220-4201



PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/516,587
Filing Date	June 24, 2005
First Named Inventor	NISHI, Akiko, et al.
Art Unit	1652
Examiner Name	Walicka, Malgorzata
Attorney Docket Number	12218/42

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		SIMPSON et al., "The genome sequence of the plant pathogen Xylella fastidiosa," Nature, vol. 406, pp. 151-157 (July 13, 2000).	
		KIM et al., "Characterization of Glutaryl 7-ACA Acylase from Pseudomonas diminuta KAC-1," J. Microbiology and Biotechnology (The Korean Society for Applied Microbiology), vol. 11, no. 3, pp. 452-457 (2001, Seoul, S. Korea).	
		ELANDER, "Industrial production of β -lactam antibiotics," Applied Microbiology and Biotechnology, vol. 61, pp. 385-392 (2003).	
		SIO et al., "Improved β -lactam acylases and their use as industrial biocatalysts," Current Opinion in Biotechnology, Vol. 15, pp. 349-355 (2004).	
		Database UniProt (Online), 1 October 2000, "Glutaryl-7-ACA Acylase", Amino Acid Sequence, Accession No. Q9PEJ9, XP-002375572.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.